

2009 DRAFTING REQUEST**Bill**Received: **09/17/2008**Received By: **rkite**Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**By/Representing: **Weidner**This file may be shown to any legislator: **NO**Drafter: **rkite**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - lic and reg**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Weidner, BB0002 -

Topic:

Fees for plumbing and fire sprinkler credentials

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							State
/1	rkite 09/23/2008	jdyer 09/24/2008	phenry 09/25/2008		sbasford 09/25/2008		

FE Sent For:

<END>

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FE Sent For:

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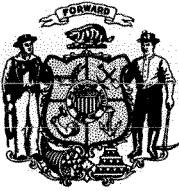
2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Repeal Fee Maximums for Plumbing and Fire Sprinklers
- Tracking Code: B60002
- SBO team: General Government and Economic Development
- SBO analyst: Jenna Weidner
 - Phone: x 6-7329
 - Email: jenna.weidner@wisconsin.gov
- Agency acronym: COM
- Agency number: 143
- Priority (Low, Medium, High): Medium

Intent: S. 145.08, Stats, indicates the maximum allowable fees for 11 plumbing and fire sprinkler credentials. Although these amounts have been changed solely to reflect increases in credential terms, the amounts have not otherwise been changed since 1992.

The Department's Division of Safety and Buildings administers 67 credentials, primarily related to building trade activity. The Division also assesses several other fees (e.g., plan review, permitting, etc.). The Division regularly assesses its fees, specifically assessing if the fees associated with each program are sufficient to cover the costs associated with administering each program, per s. 101.19, Stats. The amount of each fee is established via the administrative rule process in Comm 2 (Fee Schedule) and Comm 5 (Licenses, Certifications and Registrations).

Statutory fee maximums, such as those indicated for plumbing and fire sprinklers credentials, are not indicated for other fees assessed by the Division. This results in inconsistency in the administration of the Division's fees.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0259/2

RNK:.....

RM run

Ljd

DOA:.....Weidner, BB0002 - Fees for plumbing and fire sprinkler credentials ✓

STET → FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

D-Note

In 9/23

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1

AN ACT ...; relating to: the budget. ✓

head
AND ECONOMIC
DEVELOPMENT

Analysis by the *Legislative Reference Bureau*

the Department of
✓ COMMERCE

✓ BUILDINGS AND SAFETY

(Commerce)

* Under current law, Commerce is generally required to regulate the construction of public buildings and buildings that are places of employment. Current law also authorizes Commerce to conduct inspections and to administer examinations, and issue certain credentials, to persons engaged in the construction trades, such as plumbers and electricians. Commerce is required to fix, by rule, the amount of the fees for the various services that it provides for these purposes. Current law establishes the maximum fees that Commerce may charge for certain of these services including examinations and licenses for master and journeyman plumbers and for automatic fire sprinkler contractors. This bill eliminates the mandatory caps on the amounts that Commerce may charge for these services and instead provides that the fees established by rule must as closely as possible equal the cost of providing the services. ✓

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 145.08 (1) (intro.) of the statutes is amended to read:

2 145.08 (1) (intro.) The department shall ~~fix, by rule, the amount of the establish~~
3 fees by rule✓ for the examinations, licenses,✓ and registrations specified in this section.

4 ~~The fees specified in this section are not returnable and may not exceed the amounts~~
5 ~~stated in this section as follows~~ The fees established by the department✓ shall as
6 closely as possible equal the cost of providing the following services:

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

7 **SECTION 2.** 145.08 (1) (a) of the statutes is amended to read:

8 145.08 (1) (a) ~~For Administering a~~ master plumber's examination,✓ \$50. ~~For~~
9 ~~each subsequent examination, \$30.~~

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

10 **SECTION 3.** 145.08 (1) (b) of the statutes is amended to read:

11 145.08 (1) (b) ~~For Issuing a~~ master plumber's license,✓ \$500, and \$500 for each
12 ~~renewal of the 4-year license if application is made prior to the date of expiration;~~
13 ~~after that date an additional fee of \$20.~~

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

14 **SECTION 4.** 145.08 (1) (c) of the statutes is amended to read:

15 145.08 (1) (c) ~~For~~✓ Administering a journeyman plumber's examination, \$30.
16 ~~For each subsequent examination, \$20.~~

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

17 **SECTION 5.** 145.08 (1) (d) of the statutes is amended to read:

18 145.08 (1) (d) ~~For~~✓ Issuing a journeyman plumber's license, \$180, and \$180 for
19 ~~each renewal of the 4-year license if application is made prior to the date of~~
20 ~~expiration; after that date an additional fee of \$10.~~

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

21 **SECTION 6.** 145.08 (1) (e) of the statutes is amended to read:

22 145.08 (1) (e) ~~For~~ Issuing a temporary permit pending examination and
23 issuance of a license for master plumber, \$400; ~~for~~✓ or journeyman \$150 and which

1 shall also cover the examination fee prescribed and the license fee for the 4-year
2 period in which issued plumber.✓

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

3 **SECTION 7.** 145.08 (1) (f) of the statutes is amended to read:

4 145.08 (1) (f) For Administering a master plumber's (restricted) examination,
5 \$50. For each subsequent examination, \$30.✓

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

6 **SECTION 8.** 145.08 (1) (g) of the statutes is amended to read:

7 145.08 (1) (g) For Issuing a master plumber's license (restricted), \$500, and
8 \$500 for each renewal of the 4-year license if application is made prior to the date
9 of expiration; after that date an additional fee of \$20.

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

10 **SECTION 9.** 145.08 (1) (h) of the statutes is amended to read:

11 145.08 (1) (h) For Administering a journeyman plumber's (restricted)
12 examination, \$30. For each subsequent examination, \$20.

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

13 **SECTION 10.** 145.08 (1) (i) of the statutes is amended to read:

14 145.08 (1) (i) For Issuing a journeyman plumber's license (restricted), \$180,
15 and \$180 for each renewal of the 4-year license if application is made prior to the date
16 of expiration; after that date an additional fee of \$10.✓

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

17 **SECTION 11.** 145.08 (1) (k) of the statutes is amended to read:

18 145.08 (1) (k) For Administering an automatic fire sprinkler contractor's
19 examination, \$100.

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

20 **SECTION 12.** 145.08 (1) (L) of the statutes is amended to read:

1 145.08 (1) (L) ~~For~~ [✓]Issuing an automatic fire sprinkler contractor's license,
2 \$2,000, and \$2,000 for each renewal of the 4-year license if application is made prior
3 to the date of expiration; after that date an additional fee of \$25.

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

4 **SECTION 13.** 145.08 (1) (Lm) of the statutes is amended to read:

5 145.08 (1) (Lm) ~~For~~ [✓]Issuing an automatic fire sprinkler - maintenance only
6 registration, \$400, and \$400 for each renewal of the 4-year registration if application
7 is made prior to the date of expiration; after that date an additional fee of \$25.

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

8 **SECTION 14.** 145.08 (1) (m) of the statutes is amended to read:

9 145.08 (1) (m) ~~For~~ [✓]Administering a journeyman automatic fire sprinkler
10 fitter's examination, \$20 and \$20 for each subsequent examination.

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

11 **SECTION 15.** 145.08 (1) (n) of the statutes is amended to read:

12 145.08 (1) (n) ~~For~~ [✓]Issuing a journeyman automatic fire sprinkler fitter's
13 license, \$180, and \$180 for each renewal of the 4-year license if application is made
14 prior to the date of expiration; after that date an additional fee of \$10.

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

15 **SECTION 16.** 145.08 (1) (nm) of the statutes is amended to read:

16 145.08 (1) (nm) ~~For~~ [✓]Issuing an automatic fire sprinkler fitter - maintenance
17 only registration certificate, \$60, and \$60 for each renewal of the 4-year registration
18 if application is made prior to the date of expiration; after that date an additional fee
19 of \$10.

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

20 **SECTION 17.** 145.08 (1) (o) of the statutes is amended to read:

1 145.08 (1) (o) ~~For Issuing a~~ [✓] utility contractor's license, \$500 and \$500 for each
2 renewal of the 4-year license if application is made prior to the date of expiration;
3 ~~after that date an additional fee of \$10.~~

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

4 **SECTION 18.** 145.08 (1) (p) [✓] of the statutes is renumbered 145.08 [✓](1g) and
5 amended to read:

6 145.08 (1g) [✓] ~~For~~ The department may not charge a plumbing supervisor
7 employed by the department in accord with s. 145.02 (3) (a), ~~no cost a fee~~ for the
8 appropriate 4-year license for which the plumbing supervisor has previously
9 qualified.

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

10 **SECTION 19.** 145.08 (1) (q) of the statutes is amended to read:

11 145.08 (1) (q) ~~For~~ [✓] Issuing a pipelayer's registration, ~~\$180 at the time of~~
12 ~~registration and \$180 for each subsequent 4-year period of registration.~~

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

13 **SECTION 20.** 145.08 (3) of the statutes is amended to read:

14 145.08 (3) To establish a record of beginning an apprenticeship, as a plumber,
15 as an automatic fire sprinkler system apprentice, or as a plumber learner
16 (restricted), every plumbing and automatic fire sprinkler system apprentice and
17 every plumbing learner (restricted) shall within 30 days after beginning an
18 apprenticeship or learnership register with the department. A fee of \$15 [✓] established
19 by the department by rule [✓] shall be paid at the time of registration and before January
20 1 of each subsequent calendar year during which the apprentice is engaged in the
21 apprenticeship or learnership.

History: 1971 c. 255; 1975 c. 39, 199; 1977 c. 314; 1981 c. 20; 1981 c. 60 ss. 6, 11; 1981 c. 314; 1993 a. 16, 322; 1995 a. 417; 2005 a. 25.

(END)

d-note
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DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0259/2dn

RNK:.....

date

jld

activities ✓

This draft eliminates the cap on fees that Commerce may charge under s. 145.08. The draft specifies, in language similar to the language in s. 101.19 concerning other fees that Commerce charges, that Commerce must charge fees that as closely as possible equal the cost of providing its services. I have chosen to leave the list of services for which Commerce may charge fees under s. 145.08 in ch. 145 rather than adding them to the list in s. 101.19 because the services listed in s. 145.08 are those that relate to professions regulated under ch. 145.

Please feel free to contact me if you have any questions about this draft.

Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.wisconsin.gov

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0259/1dn
RNK:jld:ph

September 25, 2008

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Robin N. Kite
Legislative Attorney
Phone: (608) 266-7291
E-mail: robin.kite@legis.wisconsin.gov



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-0259/1

RNK:jld:ph

DOA:.....Weidner, BB0002 – Fees for plumbing and fire sprinkler credentials
FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
COMMERCE AND ECONOMIC DEVELOPMENT

BUILDINGS AND SAFETY

Under current law, the Department of Commerce (Commerce) is generally required to regulate the construction of public buildings and buildings that are places of employment. Current law also authorizes Commerce to conduct inspections and to administer examinations, and issue certain credentials, to persons engaged in the construction trades, such as plumbers and electricians. Commerce is required to fix, by rule, the amount of the fees for the various services that it provides for these purposes. Current law establishes the maximum fees that Commerce may charge for certain services including examinations and licenses for master and journeyman plumbers and for automatic fire sprinkler contractors. This bill eliminates the mandatory caps on the amounts that Commerce may charge for these services and instead provides that the fees established by rule must as closely as possible equal the cost of providing the services.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

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2 145.08 (1) (intro.) The department shall ~~fix, by rule, the amount of the establish~~
3 fees by rule for the examinations, licenses, and registrations specified in this section.
4 The fees ~~specified in this section are not returnable and may not exceed the amounts~~
5 ~~stated in this section as follows~~ established by the department shall as closely as
6 possible equal the cost of providing the following services:

7 **SECTION 2.** 145.08 (1) (a) of the statutes is amended to read:

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9 each subsequent examination, \$30.

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13 ~~after that date an additional fee of \$20.~~

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22 145.08 (1) (e) ~~For~~ Issuing a temporary permit pending examination and
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25 period in which issued plumber.

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5 145.08 (1) (g) ~~For Issuing a master plumber's license (restricted), \$500, and~~
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16 145.08 (1) (k) ~~For Administering an automatic fire sprinkler contractor's~~
17 ~~examination, \$100.~~

18 **SECTION 12.** 145.08 (1) (L) of the statutes is amended to read:

19 145.08 (1) (L) ~~For Issuing an automatic fire sprinkler contractor's license,~~
20 ~~\$2,000, and \$2,000 for each renewal of the 4-year license if application is made prior~~
21 ~~to the date of expiration; after that date an additional fee of \$25.~~

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23 145.08 (1) (Lm) ~~For Issuing an automatic fire sprinkler - maintenance only~~
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10 ~~only registration certificate, \$60, and \$60 for each renewal of the 4-year registration~~
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12 ~~of \$10.~~

13 **SECTION 17.** 145.08 (1) (o) of the statutes is amended to read:

14 145.08 (1) (o) ~~For Issuing a utility contractor's license, \$500 and \$500 for each~~
15 ~~renewal of the 4-year license if application is made prior to the date of expiration;~~
16 ~~after that date an additional fee of \$10.~~

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18 amended to read:

19 145.08 (1g) ~~For The department may not charge a plumbing supervisor~~
20 ~~employed by the department in accord with s. 145.02 (3) (a), no cost a fee for the~~
21 ~~appropriate 4-year license for which the plumbing supervisor has previously~~
22 ~~qualified.~~

23 **SECTION 19.** 145.08 (1) (q) of the statutes is amended to read:

24 145.08 (1) (q) ~~For Issuing a pipelayer's registration, \$180 at the time of~~
25 ~~registration and \$180 for each subsequent 4-year period of registration.~~

10 (END)